

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

F I L E D
NOV 15 2012
CLERK'S OFFICE
U.S. DISTRICT COURT
ANN ARBOR, MI

UNITED STATES OF AMERICA,
ex rel., RICHARD CHESBROUGH, M.D.
and KIM CHESBROUGH,

Plaintiffs,

Case No. 5:06-cv-15638

Hon. John Corbett O'Meara

v

UNIVERSAL IMAGING, INC.,
MRI LEASING, LLC, d/b/a PREMIER
LEASING AND MANAGEMENT
SERVICES, LLC, PHILLIP J. YOUNG,
MARK LAUHOFF, and GWENDOLYN
WASHINGTON, jointly and severally,

Defendants.

CONSENT ORDER TO DISTRIBUTE FUNDS

This matter having come before the Court upon the agreement of counsel for the United States, counsel for the *qui tam* relators Richard and Kim Chesbrough, and counsel for Phillip J. Young, Universal Imaging, Inc., MRI Leasing LLC, and Renee Young, all parties agreeing as follows:

1. This Court entered its Order, dated December 28, 2011, which provided for the issuance of certain prejudgment remedies (Doc. no. 28);

2. Pursuant to the terms of the December 28, 2011 order and the Order to Deposit Funds in Interest Bearing Account Pursuant to Local Rule 67.1(a) dated January 3, 2012, funds attributable to the sale of assets by Universal Imaging, Inc. and MRI Leasing LLC were deposited

with the Clerk of the Court pending further order of the court (Doc. no. 30). As of October 18, 2012 this account had a balance of \$400,134.89;

3. Pursuant to the terms of the December 28, 2011 Order, writs of garnishment were issued *inter alia* to TCF Bank (Doc. no. 31);

4. TCF Bank disclosed that it was holding, *inter alia*, funds in the following accounts:

- a. MRI Leasing LLC, xxxxxx1736
- b. Universal Imaging, Inc., xxxxxx1734
- c. Phillip Young, xxxxxx1377
- d. Young Investment Group, xxxxxx9937
- e. Phillip Young and Renee Young, xxxxxx0842

The parties having reached an agreement, and the Court having found cause exists, now therefore;


IT IS ORDERED that TCF Bank shall immediately transfer by wire transfer all funds in account numbers listed in paragraph 4 of this Order to the United States plus all accrued interest since October 10, 2012, if any, for application in accordance with the terms of Settlement Agreement in this case;

IT IS ORDERED that the United States shall provide TCF Bank with wire instructions under separate cover;

IT IS ORDERED that the Clerk of the Court shall pay all proceeds deposited with the Court referenced in paragraph 2 plus all accrued and accruing interest to the United States Department of

Justice and forward said funds to the United States Attorney's Office, 211 W. Fort, Suite 2001,
Detroit MI 48226, Attention Judith Cieslak;

IT IS ORDERED that the United States shall apply the funds received from the Court's
registry in accordance with the terms of the Settlement Agreement in this case.

Date: *November 15, 2012* 
Mon. John Corbett O'Meara
United States District Court

STIPULATION

The parties through their undersigned counsel agree to the terms of and to the entry of the above-stated Order Distributing Funds.

Respectfully Submitted,

BARBARA L. McQUADE
United States Attorney

By: s/Joan E. Hartman
JOAN E. HARTMAN
Assistant U.S. Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
(313) 226-9190

Dated: November 13, 2012

Counsel for the United States of America

s/Ben Gonek
BEN GONEK, ESQ.
Giarmarco, Mullins & Horton PC
Tenth Floor Columbia Center
101 West Big Beaver Road
Troy, MI 48084-5280
Counsel for Universal Imaging, Inc., MRI Leasing
LLC, Phillip J. Young, and Rene Young

Dated: November 13, 2012

s/Patricia Stamler
PATRICIA STAMLER, ESQ.
Hertz Schram PC
1760 South Telegraph Road Suite 300
Bloomfield Hills, MI 48302-0183

Dated: November 13, 2012